

**EPSTEIN DRANGEL LLP**

60 East 42nd Street, Suite 1250, New York, NY 10165

T: 212.292.5390 • E: mail@ipcounselors.com

www.ipcounselors.com

November 17, 2023

VIA E-MAIL

Hon. Jennifer H. Rearden
 United States District Judge
 Daniel Patrick Moynihan
 United States Courthouse
 500 Pearl Street
 New York, New York 10007

Plaintiff's application this evening to adjourn the November 21 show cause hearing would require the Court to extend the restraints imposed in its October 24 Order. By **8:00 p.m. on Sunday, November 19, 2023**, counsel for Plaintiff, for Defendant YiHong Life, and for Defendant CONNOO Direct shall meet and confer—virtually or in person—for a minimum of one hour regarding Plaintiff's application for emergency injunctive relief, and in particular, regarding extending the restraints. By **9:00 p.m. on Sunday, November 19, 2023**, the parties shall file a joint letter informing the Court of the outcome of their negotiations. Following receipt of the letter, the Court will address as needed any issues concerning the briefing schedule.

If the parties fail to reach an agreement to extend the restraints until such time as the Court can reschedule the show cause hearing, then the hearing will proceed as scheduled on **Tuesday, November 21, 2023 at 9:00 a.m.**

SO ORDERED.

Jennifer H. Rearden
 Jennifer H. Rearden, U.S.D.J.
 Date: November 17, 2023

Re: *FoxMind Canada Enterprises Ltd. v. BEASYE, et al.*
Case No. 23-cv-9234 (JHR)
Request to Modify Briefing Schedule and Extend TRO

Dear Judge Rearden,

We represent FoxMind Canada Enterprises Ltd. ("Plaintiff"), in the above-referenced matter (the "Action").¹ On October 20, 2023, Plaintiff filed this Action and its Application under seal. On October 24, 2023, the Court granted Plaintiff's Application and entered the Temporary Restraining Order ("TRO"), scheduling the show cause hearing for November 21, 2023 at 9:00 a.m. ("Show Cause Hearing"). (Dkt. 21). On November 13, 2023, counsel for Defendant Yihong Life filed a request for extension of time to file its opposition to Plaintiff's request for a preliminary injunction order ("PI Order") in this Action. (Dkt. 18). Thereafter, on November 14, 2023, counsel for Defendant Connnoo Direct filed a request for extension of time to file its opposition to Plaintiff's request for a PI Order in this Action. (Dkt. 20). On November 15, 2023, the Court entered an Order granting Defendant Yihong Life and Connnoo Direct's requests, extending their time to respond to the Order to Show Cause to today, November 17, 2023 at 5:00 p.m. and extending Plaintiff's deadline to reply until Monday, November 20, 2023 at 12:00 p.m. Based on the foregoing reasons, Plaintiff respectfully requests modification of the briefing schedule, including the date of the Show Cause Hearing.

Aside from prior obligations over the upcoming weekend that will hinder Plaintiff's counsel's ability to draft Plaintiff's replies to the above mentioned two (2) Defendants' oppositions, Plaintiff's counsel will also be appearing at a hearing on another matter in California on Monday morning. Plaintiff's counsel therefore does not feel that it has sufficient time to respond to two (2) Defendants' oppositions by the current deadline, 12:00 p.m. on Monday, November 20, 2023. Accordingly, Plaintiff respectfully requests a short extension of time to file its replies until the close of business on Tuesday, November 21, 2023, as well as an adjournment of the Show Cause Hearing until Wednesday, November 22, 2023 or another time most suitable for the Court. Plaintiff's counsel has conferred with counsel for

¹ Where a defined term is referenced herein but not defined, it should be understood as it is defined in the Glossary in Plaintiff's Complaint or Application.

Defendant Yihong Life and counsel for Defendant Connoco Direct who have both consented to Plaintiff's instant request.

Further, as it currently stands, the TRO is set to expire on November 21, 2023, the day of the currently scheduled Show Cause Hearing. *See* Fed. R. Civ. P. 65(b)(2). Should the Court grant Plaintiff's request to modify the current briefing schedule, Plaintiff respectfully requests the Court extend the TRO to the new date of the Show Cause Hearing on Plaintiff's Application.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

EPSTEIN DRANGEL LLP

BY: /s/ Gabriela N. Nastasi
Gabriela N. Nastasi
gnastasi@ipcounselors.com
60 East 42nd Street, Suite 1250
New York, NY 10165
Telephone: (212) 292-5390
Facsimile: (212) 292-5391
Attorneys for Plaintiff
FoxMind Canada Enterprises Ltd.